

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of:

**Samuel J. TREMONT et al.**

Serial No.: 09/912,233

Filed: July 25, 2001

Atty. Docket No.: 061765.00195

Group Art Unit: 1614

Examiner: Unassigned

For: NOVEL 1,4-BENZOTHIAZEPINE AND 1,5-BENZOTHIAZEPINE  
COMPOUNDS AS INHIBITORS OF APICAL SODIUM CO-DEPENDENT  
BILE ACID TRANSPORT AND TAUROCHOLATE UPTAKE

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Assistant Commissioner of Patents

Washington, D.C. 20231

**Attn: Box Missing Parts**

Dear Sir:

In response to the Notice to File Missing Parts of Application, mailed September 19, 2001, Applicants submit the enclosed executed Declaration of the referenced application and the surcharge for late filing of the same. This paper is being filed with a copy of the Notice to File Missing Parts, an Assignment, Assignment Recordation Cover Sheet and the authorization to charge the filing fee \$16,788, the late fee \$130.00 and Assignment Recordation fee \$40.00 to our Deposit Account No. 19-0733.

Application Serial No. 09/912,233

Docket No. 061765.00195

(C-3356/US)

No additional fees are believed to be due. However, if any additional fees are required or an overpayment of fees made, please debit or credit our Deposit Account No. 19-0733, as necessary.

Respectfully submitted,

Date: November 19, 2001

By:

  
Ajay Pathak  
Registration No. 38,266

BANNER & WITCOFF, LTD.  
1001 G Street, N.W., 11<sup>th</sup> Floor  
Washington, D.C. 20001  
(202) 508-9100 (general office line)  
(202) 508-9187 (direct office line)  
(202) 508-9299 (office fax)

Attachments:

Copy of Notice to File Missing Parts of Application  
Declaration (executed)  
Request for Recordation of Assignment  
Assignment (executed)  
Fee Transmittal

57  
Sector

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ 16,958)

Complete if Known	
Application Number	09/912,233
Filing Date	July 25, 2001
First Named Inventor	Samuel J. TREMONT et al.
Examiner Name	Unassigned
Group / Art Unit	1614
Attorney Docket No.	061765.00195

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee Description	Fee Paid
101	740	201 370 Utility filing fee	740
106	330	206 165 Design filing fee	
107	510	207 255 Plant filing fee	
108	740	208 370 Reissue filing fee	
114	160	214 80 Provisional filing fee	
SUBTOTAL (1)			(\$ 740)

### 2. EXTRA CLAIM FEES

Total Claims	882	-20 **	= 862	X 18	= 15516
Independent Claims	6	-3 **	= 3	X 84	= 252
Multiple Dependent	1			X 280	= 280

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 16,988)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

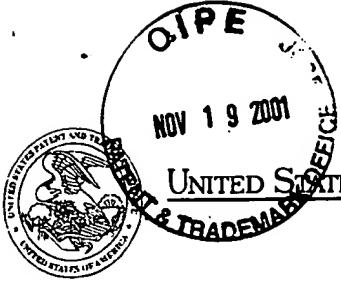
3. ADDITIONAL FEES	Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	130	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet.		
139	130	139 130 Non-English specification		
147	2,520	147 2,520 For filing a request for reexamination		
112	920*	112 920* Requesting publication of SIR prior to Examiner action		
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action		
115	110	215 55 Extension for reply within first month		
116	400	216 200 Extension for reply within second month		
117	920	217 460 Extension for reply within third month		
118	1,440	218 720 Extension for reply within fourth month		
128	1,960	228 980 Extension for reply within fifth month		
119	320	219 160 Notice of Appeal		
120	320	220 160 Filing a brief in support of an appeal		
121	280	221 140 Request for oral hearing		
138	1,510	138 1,510 Petition to institute a public use proceeding		
140	110	240 55 Petition to revive - unavoidable		
141	1,280	241 640 Petition to revive - unintentional		
142	1,280	242 640 Utility issue fee (or reissue)		
143	460	243 230 Design issue fee		
144	620	244 310 Plant issue fee		
122	130	122 130 Petitions to the Commissioner		
123	50	123 50 Processing fee under 37 CFR 1.17 (q)		
126	180	126 180 Submission of Information Disclosure Stmt		
581	40	581 40 Recording each patent assignment per property (times number of properties)	40	
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))		
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))		
179	740	279 370 Request for Continued Examination (RCE)		
169	900	169 900 Request for expedited examination of a design application		
Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 170)

## SUBMITTED BY

Name (Print/Type)	Ajay Pathak	Registration No. Attorney/Agent)	38,266	Telephone	202-508-9187
Signature	<i>Ajay Pathak</i>			Date	November 19, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/912,233	07/25/2001	Samuel J. Tremont	61765.00195

## CONFIRMATION NO. 4337

22907  
 BANNER & WITCOFF  
 1001 G STREET N W  
 SUITE 1100  
 WASHINGTON, DC 20001

## FORMALITIES LETTER



\*OC000000006578864\*

Date Mailed: 09/19/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$15756.
  - \$15246 for 847 total claims over 20.
  - \$240 for 3 independent claims over 3 .
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 16596.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

11/20/2001 BNSUTEN1 09000043 190733 09912233

 740.00  
 880.00  
 15516.00  
 252.00  
 280.00  
 130.00

 FC:101  
 FC:103  
 FC:102  
 FC:104  
 FC:105  
 012030145